

November 1, 2005



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 9346
(SIXTEENTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the setting of the hand brake and blocking a wheel in both directions of the first and last cars of a series of coupled tank cars prior to unloading. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 174.67(a)(2).
5. BASIS: This special permit is based on the application of American Refining Group Inc. dated September 2, 2005, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Benzene	3	UN1114	II
Elevated temperature liquid, n.o.s., at or above 100C and below its flash point (including molten metals, molten salt, etc.)	9	UN3257	III
Fuel Oil (No.1, 2, 3, 4, 5, or 6)	Combustible liquid	NA1993	III
Petroleum Oil	3	UN1270	I, II, III
Petroleum Crude Oil	3	UN1267	I
Sodium hydroxide solution	8	UN1824	II
Sulfur, molten	9	NA2448	III
Sulfuric acid with more than 51% acid	8	UN1830	II
Sulfuric acid fuming, with less than 30 percent free sulfur trioxide	8	UN1831	I
Sulfuric acid, spent	8	UN1832	II

7. SAFETY CONTROL MEASURES:

PACKAGING - Packaging prescribed are DOT and non-DOT Specification tank cars authorized for the products indicated above. Packagings must be equipped with efficient hand brakes which must comply with the Railroad Safety Appliance Standards in 49 CFR Part 231.

8. SPECIAL PROVISIONS:

- a. The hand brake must be set and at least one wheel blocked in both directions on the first and last car of a series of tank cars coupled together or being unloaded.

- b. For grades exceeding 0.5 percent, the following table must be used to determine the percentage of additional hand brakes to be applied:

Grade (Percent)	Percentage of cars to have hand brakes applied
$> 0.5 \leq 0.6$	17
$> 0.6 \leq 0.7$	20
$> 0.7 \leq 0.8$	23
$> 0.8 \leq 0.9$	26
$> 0.9 \leq 1.0$	29

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.
10. MODAL REQUIREMENTS: The Federal Railroad Administration is to be notified if any unusual incident such as derailment of exterior tank car damage, occurs during the movement by contacting the:
- Federal Railroad Administration
Office of Safety Assurance & Compliance
RRS-12, Mail Stop 25
1120 Vermont Ave., N.W.
Washington, D.C. 20590
(202) 493-6247 or 493-6229
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

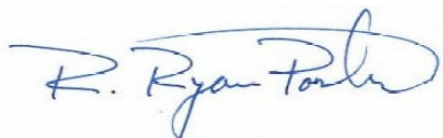
Each "Hazmat Employee" as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by § 172.700 through § 172.704.

No person may use or apply this special permit, including display of its number, when the special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: sln